IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Crl.Rev.Pet.No. 1063 of 2007

CRA.381/2005 of ADDL. SESSIONS COURT(ADHOC)FAST TRACK-III, PATHANAMTHITTA
CC.434/2005 of JUDL.MAGISTRATE OF FIRST CLASS COURT-I, PATHANAMTHITTA

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REVN. PETITIONER:
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1. **B. OMANA,THEKKEKALLIMEN KIZHAKKETTHIL, ERESHA NORTH,CHETTIKULANGARA.**

2. **MR.BHARATHAN, THEKKEKALLIMEL KIZHAKKETTHIL, ERESHA NORTH, CHETTIKULANGARA.**

BY ADV. SRI.M.T.SURESHKUMAR
SRI.V.V.RAJA

RESPONDENTS:
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1. **MULAMOOTTIL LEASING & HIRE PURCHASE LTD. KOZHENCHERRY, REP. BY ITS MANAGING DIRECTOR JACOB THOMAS,MULAMOOTTIL HOLDER V.K.ABRAHAM, MANAGER,MULAMOOTTIL BANKERS,PATHANAMTHITTA.**

2. **STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA, ERNAKULAM.**

R2 BY PUBLIC PROSECUTOR MR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.1063 of 2007

DATED THIS THE 12th Day of March 2007

ORDER

The petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for six months each and to pay Rs.25,000/- each as compensation to the complainant under Section 357(3)Cr.P.C. and in default to undergo simple imprisonment for three months each. The revision petitioner have only sought for modification of sentence and time to make the payment.

In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay compensation as ordered. The revision petitioners are granted six months time to make the payment. They shall appear before the Judicial First Class Magistrate-I, Pathanamthitta on 12-9-2007 to receive sentence. Non-bailable warrant is not to be executed in the meantime. The Crl.revision petition is disposed of accordingly.

SD/-

K.R.UDAYABHANU, JUDGE

ks. **TRUE COPY**

P.S.TO JUDGE